

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FLEMING INTERMEDIATE HOLDINGS,  
LLC,

Plaintiff,

v.

JAMES RIVER GROUP HOLDINGS, LTD.,  
FRANK D’ORAZIO, and SARAH DORAN,

Defendants.

No. 24-cv-5335 (JLR)

**NOTICE OF MOTION TO DISMISS  
THE AMENDED COMPLAINT**

**PLEASE TAKE NOTICE** that upon the accompanying memorandum of law and any other arguments or materials that the Court may consider before this motion is taken under submission by the Court, Defendants James River Group Holdings, Ltd., Frank D’Orazio, and Sarah Doran (“Defendants”) will move this Court, before the Honorable Jennifer L. Rochon, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, New York, for an order dismissing the Amended Complaint [ECF No. 39] (the “Amended Complaint”), with prejudice, pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), and the Private Securities Litigation Reform Act of 1995, 78 U.S.C. § 78u-4, because the Amended Complaint fails to state a claim against Defendants upon which relief can be granted.

Response and reply papers are to be filed pursuant to this Court’s order [ECF No. 46] setting briefing deadlines and Rule 6.1 of the Joint Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York.

**PLEASE TAKE FURTHER NOTICE**, that oral argument, if any, will be held on a date and at a time to be designated by the court.

DATED: New York, New York  
November 15, 2024

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